



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Commission

DATE: June 17, 2009

FR: Legislation Committee

W. I.: 1131

RE: Committee Recommendations

The Legislation Committee met on June 12 and referred the following items to the Commission:

a. **AB 497 (Block)**

This bill would allow a licensed physician to obtain a special decal from the California Medical Association (CMA) that would grant them access to high occupancy vehicle (HOV) lanes as a single-occupant vehicle when traveling in response to an emergency call.

Committee Recommendation: Oppose

b. **AB 1186 (Blumenfield) & SB 728 (Lowenthal).**

The state's parking cash-out law requires certain employers who provide subsidized parking for their employees to offer a cash allowance in lieu of a parking space. As such,

- AB 1186 (Blumenfield) seeks to broaden the law's applicability by requiring certain lessors of commercial space to itemize parking costs separately from the commercial space; and
- SB 728 (Lowenthal) seeks to improve enforcement of the law by allowing local agency enforcement.

Committee Recommendation: Support

c. **SB 425 (Simitian)**

This bill would authorize employers with 20 or fewer employees to claim a tax deduction from their corporate or personal income taxes for up to 80 percent of the cost associated with alternate commute modes, including costs in support of employees commuting by public transit, private commuter buses, vanpool, carpool, bicycle, or foot.

Committee Recommendation: Support & seek amendment to strike references to specific modes and instead make eligible as a tax deduction costs associated with "subsidizing employees commuting by public transit."

d. **AB 338 (Ma)**

This bill would allow cities and counties to use tax increment financing to pay for public facilities and amenities within a transit village development plan by allowing the creation of an Infrastructure Financing District by a majority vote of the elected body.

Committee Recommendation: Support and seek amendment to add intent language that would declare legislative intent that at least 10 percent of the units in townhomes within a ½ mile of a transit station be habitable by persons with disabilities and provide an accessible route from within the housing units to the entrance and to the station for persons with disabilities.

e. Transportation Investment Generating Economic Recovery (TIGER) Principles

The principles, as amended, seek to provide guidance to focus the Bay Area's list of projects to be included in a final Caltrans list to be submitted by the state for the TIGER program. The principles are:

1. Prioritize a list of projects valued at no more than \$125 million and focus on a list of specific realistic projects that we can achieve — not a wish list of projects that cannot hope to be funded given this very small program.
2. Include \$50 million for Doyle Drive. As the southern approach to the Golden Gate Bridge, this seismically deficient structure is the weak link in the entire U.S. 101 North Bay highway corridor. It has a \$1 billion funding plan nearing completion, and is a top priority for both the Governor and the Speaker of the House.
3. Seek to include a goods movement project of significance. While the Port of Oakland has been hurt financially in the economic downturn, leaving it with limited options to bring funding to bear for needed projects, federal guidelines are clearly focused on goods movement as a national priority. If possible, we will try to include a major goods movement project for the Bay Area.
4. Seek to include a transit project of regional significance. The recently completed Transportation 2035 Plan prioritizes transit as the future for Bay Area travel options.
5. Support projects seeking Transportation Infrastructure Finance and Innovation Act (TIFIA) commitments. At this point the most likely candidate is the BART-Oakland Airport Connector. A second project in the Bay Area that is seeking TIFIA funding is a proposal by the San Francisco Transbay Terminal project, but at this point, its TIFIA application is being considered outside the TIGER program.
6. If after the priorities in points 1-5 above are met, and additional funding capacity is available, consider a second highway or roadway project of regional significance that will compete well given the TIGER guidelines.
7. Prioritize projects that support Priority Development Areas (PDAs) and focused growth. PDAs serve areas within an existing community, near existing or planned fixed transit or served by comparable bus service, where more housing is planned.

Committee Recommendation: Adopt the amended principles as policy guidance for MTC's participation in a statewide effort to secure the most amounts of federal ARRA monies to the Bay Area region.

f. **High-Speed Rail Draft Investment Strategy**

This strategy seeks to best position the Bay Area to gain funding from the \$8 billion High Speed Rail/Intercity Rail Grant Program created by the American Recovery and Reinvestment Act.

Committee Recommendation: Support

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